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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,791	07/31/2003	Chun-Wei Lin	BHT-3106-288	7875

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EXAMINER

HAWK, NOAH CHANDLER

ART UNIT	PAPER NUMBER
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3637

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,791	Applicant(s) LIN, CHUN-WEI	
	Examiner Noah C. Hawk	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/31/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Specification

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: Page 1, line 12, the phrase "it as usual leads to the injury is the finger is incidentally enters in the drawer" is not grammatically correct. On Page 1, line 29 the phrase "stereo of this closing buffer mechanism of this invention" refers to a 2-dimensional drawing, not a stereoscopic image. On Page 2, line 6 the phrase "shows the compressed is being discharged form the vent slot" is nonsense. It is clear that the application is a direct translation of a foreign application. A more accurate translation should be obtained.
2. The disclosure is objected to because of the following informalities: on page 2, line 26, a cylinder is disclosed as item 11 and a connecting rod is disclosed as item 12; subsequently on page 3, lines 8-9, the cylinder is incorrectly described as item 12 and the connecting rod is incorrectly described as item 11. On page 2, line 36, a lock tendon is disclosed as item 123; subsequently on page 3, lines 26, 29 and 37-38 a convex kick is incorrectly described as item 123 and in line 28-29, the lock tendon is incorrectly described as item 124. On page 3, line 26 a bumper is disclosed as item 22;

subsequently on page 3, line 37 and on page 4, line 1, a bumper is incorrectly described as item 24.

Appropriate correction is required.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "convex post" of Claim 5 must be clearly shown or the feature(s) canceled from the claim(s). No new matter should be entered. Additionally, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: on Page 3, line 18, a reference is made to "vent hole 1112" which does not exist in the drawings. Also, it is unclear in Figure 1 what part of the device reference numeral 2 is referring to. Further, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "22" and "24" have both been used to designate a bumper.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In Claim 4, a "go through lock hole" is provided in the end of the cylinder, while in the Detailed Description of the Invention, a "go-through lock hole" (122) is provided in the connecting rod (12). The inventor must clarify where the lock hole is to be positioned and correct either the claim or the specification to reflect the inventive intent.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 5, 8, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. In Claim 1, lines 14-15 the phrase "assembly has t two parts are s mounted on one end of the slide rod and the front en" contains numerous typographical errors. In Claim 5, the phrase "in which the front end of the connecting rod is convex post" is improper English. In Claim 8, the sentence "The bumper is fastened on the end of the movable rod, when contacted, these three move together too." is improper English. Claim 10 contains the language "... a hole in the wall, the open end is sealed with an adjusting valve and the open passes the wall to form an air hole" which is confusing and improper English.

8. Claims 1, 4, 6, 7, 8, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitations "the soft piston " and "the valve ring" in line 10, "the bore of the cylinder" in line 11, "the compressed air" in line 12, "the suction assembly, the magnetic assembly or the snap assembly" in lines 13-14, "the slide rod" in line 15, "the movable rod" in line 20, and "the air passage" in line 23. There is insufficient antecedent basis for this limitation in the claim. Claim 4 recites the limitation "the lock tendon" in line 37. There is insufficient antecedent basis for this limitation in the claim. Claims 6, 7, 8, and 9 recite the limitation

"the convex post" in line 6, 12, 16, and 22 respectively. Claim 7 recites the limitation "the lock tendon" in line 12. There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 103

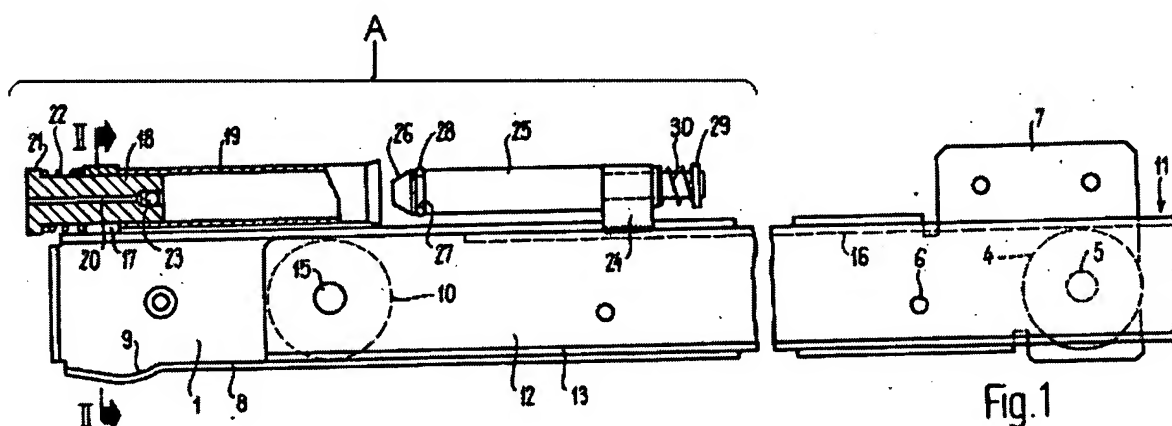
9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 2, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over German Patent DE 2421657 A in view of European Patent EP 1236925 A2 and further in view of Beard et al. German Publication '657 discloses a drawer slide damper mechanism (Fig 1, ref A) mounted on the edge of a drawer slide. German Publication '657 does not disclose a buffer mechanism consisting of a cylinder with an air passage in the form of a vent slot, a connecting rod with a soft piston and a valve ring or a separable bumper assembly in the form of a magnetic assembly, snap assembly or suction assembly. EP Publication '925 teaches a buffer mechanism comprising a cylinder (10) with an air passage in the form of a vent slot (40), a connecting rod (21) with a soft piston (23) and a valve ring (24) but does not teach a separable bumper assembly in the form of a magnetic assembly, snap assembly, or suction assembly. Beard et al. teach a damper with a separable, magnetic bumper assembly (36 & 37, see col. 2, lines 54-56), a hole in the wall of the cylinder (39) and an adjusting valve (41, see

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Beard et al., column 3, lines 2-3). It is well known in the art that magnetic assemblies, snap assemblies and suction assemblies are equivalent releasable fastening means. It would have been obvious to one skilled in the art at the time of invention to modify the drawer slide damper assembly of German Publication '657 by using a buffer mechanism as disclosed by EP Publication '925 in order to provide a smoother damping action for the drawer slide and to further modify the device by adding a separable, magnetic bumper assembly and a hole in the cylinder wall with an adjusting valve as taught by Beard et al. in order to assist the device in returning to the open position for the next time the drawer is closed and to provide a variable damping effect.



German Publication '657, Figure 1

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over German Publication '657 in view of EP Publication '925 and Beard et al. as applied to claim 1 above, and further in view of Hofmann. The device of German Publication '657,

modified by EP Publication '925 and Beard et al., does not disclose a vent slot through the center of the valve ring. Hoffman teaches a damper with a vent slot (best seen in Hoffman, Fig. 1, ref.4a) through the center of the valve ring. It would have been obvious to one skilled in the art at the time of invention to modify the device of German Publication '657, EP Publication '925 and Beard et al. to use a vent slot through the center of the valve ring as taught by Hofmann in order to provide a more central means of releasing the compressed air in the cylinder.

12. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over German Publication '657 in view of EP Publication '925 and Beard et al. as applied to claim 1 above, and further in view of Rabin. The device of German Publication '657, modified by EP Publication '925 and Beard et al., does not disclose a convex post on the front end of the connecting rod. Rabin teaches a convex post (best seen in Rabin, Fig 2, ref. 42a) on the front end of the connecting rod (Rabin, Fig.2, ref.42). It would have been obvious to one skilled in the art at the time of invention to modify the device of German Publication '657, EP Publication '925 and Beard et al. to add a convex post at the front end of the connecting rod as taught by Rabin in order to cushion the impact of the buffer mechanism with the drawer.

13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over German Publication '657 in view of EP Publication '925 and Beard et al. as applied to claim 1 above. The device of German Publication '657, modified by EP Publication '925 and Beard et al., does not disclose a bumper assembly comprising a suction tray and a bumper. It is well known in the art that suction trays and magnetic assemblies are

equivalent releasable fastening means. It would have been obvious to one skilled in the art at the time of invention to modify the device of German Publication '657, EP Publication '925, and Beard et al. by substituting a suction tray for the magnetic assembly at the end of the connecting rod in order to assist the device in returning to the open position for the next time the drawer is closed.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over German Publication '657 in view of EP Publication '925 and Beard et al. as applied to claim 6 above, and further in view of Goldstein et al. The device of German Publication '657, modified by EP Publication '925 and Beard et al., does not disclose an attachment in which a lock tendon goes through a lock hole. Goldstein et al. disclose an attachment in which a lock tendon (15, 15') goes through a lock hole (14) to hold two members together. It would have been obvious to one skilled in the art at the time of invention to modify the device of German Publication '657, EP Publication '925 and Beard et al. by using a lock tendon and lock hole as taught by Goldstein et al. to attach the separable bumper assembly in order to provide a secure attachment means.

15. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over German Publication '657 in view of EP Publication '925 and Beard et al. as applied to claim 1 above. The device of German Publication '657, modified by EP Publication '925 and Beard et al., does not disclose a bumper assembly comprising a snap assembly. It is well known in the art that snap assemblies and magnetic assemblies are equivalent releasable fastening means. It would have been obvious to one skilled in the art at the time of invention to modify the device of German Publication '657, EP Publication '925,

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and Beard et al. by substituting a snap assembly for the magnetic assembly at the end of the connecting rod in order to assist the device in returning to the open position for the next time the drawer is closed.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hollenstein, Salice (in US Patents 6615450 and 6553617) and Dubach disclose damping devices. Rock et al. and Lenhart disclose drawer-braking devices. Salice (in US Patents 6846053 and 6629738), Francz, EP 0841451 A2 and DE 29616054 U1 disclose drawer slide dampeners.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nch

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